### PERSCH TRIAL UNDER WAY

STRONG EFFORT TO BAR OUT (LARK'S TESTIMONY.

4 hier witness for the People Attacked or Once, but Twice-Katz Held for Assault-Story of the Loan and Sale of the Heinze Stocks Told in Court.

or not Charles Katz had ng to do with the assault upon L. Clark, the note broker who State's evidence against Donald now on trial before Justice Marthe Supreme Court, District At-Whitman does not know, but he tormed yesterday afternoon that eating Clark got Saturday night he second he had received within

In a men attacked Clark in a Broadway two weeks ago, Mr. Whitman was id because he persisted in paying attention to a certain young woman. The District Attorney knows the name men who beat Clark on Saturday but does not know if they were

ick Mr. Whitman learned yesterday was in the company of Miss Helen Still an on Saturday night when he was as anded. She lives at 217 West 110th met where the attack occurred. Miss on saw the men who struck Clark. lives at 235, nine doors away. hatz was arrested yesterday morning

the charge of felonious assault and nen arraigned before Magistrate Barlow he Tombs police court was held in or for further examination this morn District Attorney Whitman apeared personally against him and sand that the Magistrate make the bail heavy as he could. The District bases his belief in Katz's guilt n the fact that an Assistant District thorney had heard Katz predict that "something would be put over the plate"

lark was not in the Magistrate's was represented by Max D. Steuer. His father, Bernard Katz, president the Eastern Brewing Company, was Cash bail was deposited with ne City Chamberlain.

last after the conclusion of the police

ourt proceedings the trial of Persch ras resumed before Justice Marcus. John F. McIntyre, counsel for Persch came into the court room with a handful cuttings from morning newspapers He said that District Attorney Whitman n giving out a statement regarding the tick upon Clark had sought to prejudice te case, and he wanted Justice Marcus call Whit man before the Court and ake him explain. Justice Marcus idn't. Then Mr. McIntyre moved a change of venue and for the discharge of the jury. The motions were

When Assistant District Attorney Nott egan to outline his case he was inter-upted by counsel for the defendant the pole o often that it was necessary for Justice Marcus to rap with his gavel.

Mr. Nott said that the People, through ark, would show that there had been conspiracy to get stocks from F. Augus-B Heinze. Persch knew that Heinze wanted to borrow money, and with Sherwood. Katz and Clark concocted a scheme hereby they could gain possession some of the Heinze stocks. Persch nd Katz, Mr. Nott said, had sent Clark Heinze and the deal was negotiated ough M. M. Joyce, Heinze's broker, the Windsor Trust Company. The and the Windsor Trust Company. The Sile,000 worth of securities were put up and the money, \$50,000, which Sherwood had obtained from L. J. Field & Co., by whom he was once employed, was turned over to Joyce. The conspirators then sold the stocks offered as collateral or about \$100,000 and after repaying reld \$50,000 and a bonus split up the alance. Persch, Mr. Nott said, got balance Persch, Mr. Nott said, got \$10,000; Katz, \$10,000; Clark, \$11,000, be-sides his first commission of \$2,000. The rearing Sherwood's indersement and made payable to Persch and another clerk for \$10,000 drawn by Sherwood and indersed by L. J. Field. It was deposited with the Phenix National Bank. hen Clark took the stand McIntyre

cted to his testifying The court Nott into a private room. McIntyre's ion was then denied and Clark pro-

he witness said that he was 28 years and a broker. He had first met Persch Katz some three years ago, he said.

May they took offices with him at Broad street and paid his rent.

rosch, he said, had often remarked to that he would like to get hold of a of Heinze's copper stocks, because hought they were good investments. would raise \$15,000 they would get copper stock, sell it and split the

to matter of getting stock from Heinze a loan of \$50,000 was first mentioned to in his office about the middle of last. The witness, Person and Katz were tock without borrowing any money took without borrowing any money they took the matter up with Katz said that they would have to get a to act, and Clark set out to get a in Porth Amboy to make the loan. bank to act Clark replied that he Heinze wouldn't borrow t through a bank. After hey made arrangements to get the Kaufmann was brought into the section and he saw Stirling Birming-who was the loan manager of the company. The result was that an tion for a loan was made and ann received the following letter

NINDSOR TRUST COMPANY. Mutual Life Building.

NEW YORK, July 23, 1909 Aculmonn, Esq., 50 Broadway, New

strity. ate requesting that the Windson mpany act for you and your client ring a loan of \$50,000 which has been etween two principals by you nother broker, as per the statement your letter, we beg to state that accept your proposal if the follow ions are conformed with, viz. nditions can be carried out as letter, namely. That we held harmless in the event of g and that an agreement to that he signed by your principals, her that the transfer of the securi note will be made without any in t by us and will be received withon of this transaction our interest orther action in the matter and o time are we to be held lighte for any deficiencies further than agree to deliver the money to the

approved by the lender.

#### THE HAPPY MEDIUM

In a world that is prone to extremes, the happy medium is very desirable condition.

Our Cost Insurance contract is the happy medium of building contracts. Its guaranteed limit of cost

checks extravagance.

Its plan of procuring competitive figures on all lines of work ensures economy. Its penalty clause necessi-

tates speed. And its provisions throughout are designed to preserve the ratio of income to investment.

#### THOMPSON-STARRETT COMPANY

Building Construction Fifty-One Wall Street

#### TO PAY FOR DR. COOK'S GOLD KEY en Say "We Were Buncoed, but

Was the King of Denmark. The Aldermen decided yesterday pay that bill of \$275 for the engrossing of the resolutions giving to Dr. Cook the freedom of the city and enclosing the parchment in an ebony box with golden key. The bill has been resting in the finance committee for months because the Aldermen were a little shame faced about the way they were humbugged. But as the firms which did the engrossing and which supplied the box and the golden key were threatening to sue something had to be done, and the finance committee yesterday recom-mended the payment of the bills.

Alderman Dowling, the Tammany eader of the board, is the chairman of leader of the board, is the chairman of the committee. When the resolution was read by the clerk he said to his neighbors as he rose to move the adoption of the resolution, "Here's where I've got to be the goat." Mr. Dowling let himself down easily in this way:

"There's no way of getting out of paying this bill. We ordered these things and we've got to pay for 'em. When we had Dr. Cook here every one thought that he had discovered the north pole, and if he succeeded in bunking the king

and if he succeeded in bunking the King of Denmark and a good many scientific men how can a lot of poor Aldermen. who are not credited with having even average intelligence, be blamed for allow-ing themselves to be gold bricked? We've got to pay this bill, and that's all there is to it, but after all it don't amount to much, not near so much as what it cost the King of Denmark for that lunch he gave to Cook. I s'pose we're in bad, but the King is in bad worse n we are, so let us let it go at that."

Alderman Walsh, who made the speech giving the freedom of the city to Dr. Cook, made a somewhat similar speech, is to it, but after all it don't amount to

Cook, made a somewhat similar speech, declaring that if Dr. Cook could fool scientists the Aldermen ought not to be laughed at for doing honor to a man who was supposed to have reached the

ole.
"People are saying that Peary got to be pole," he added, "but I notice from reports I've read in the papers that Washington is a bit skittish about putting itself on record in officially recognizing the claims made by Peary." The appropriation was unanimously agreed to

#### ELEVENTH AVENUE TRACKS. Aldermen Advised to Wait and See If City

At last week's meeting of the Aldermer a resolution was adopted urging Corporation Counsel Watson to prepare a bill for passage by the Legislature which would enable the city to clear Eleventh avenue of the railroad tracks on that thorough-

In a reply received by the board yester day Mr Watson said that this course would mean costly condemnation proceedings that is, buying the railroad out and he suggested leaving it to the court on appeal to say whether or not D-Cady Herrick was correct in his finding

to stand in the way of the removal of the tracks, operations over which jeopardize the lives of citizens, but if, as we hope, the situation can be relieved through the courts, this would be far preferable for the reasons stated. And to that end you may be sure that no effort will be spared."

The Aldermen took the advice

#### WAYOR ENJOINED

Abraham Brody of Brooklyn, suing as taxpayer, obtained a temporary injunction yesterday from Supreme Court Justice Greenbaum restraining Mayor Gaynor and City Clerk Scully from giving to the Long Island Railroad the use of certain parts of a twenty-three mile strip of land taken by the city under condemnation proceedings for laying a seventy-two inch water pipe. He alleges that the city is getting no consideration.

The city officials say the proposed agreement is merely an exchange with

the railroad company of certain rights to land on one side of the railroad tracks for rights to land on the other side owned for rights to land on the other side owned by the railroad company and that the city is giving no more than it is getting

#### EAGER FOR AVIATION MEET. Aero Club Considers the Claims of the Three Rival Cities.

A meeting of the governing board of the Aero Club of America was held vesterday to consider the propositions for the aviation meet. New York, Washington and St. Louis. The matter was referred to the available available selected. ington and St. Louis. The matter was referred to the executive committee of the club, comprising Cortlandt Field Bishop, president; Samuel H. Valentine, one of the vice-presidents; Philip T. Dodge, president of the Engineers Club; James C. McCoy and Charles Jerome Edwards, treasurer. The executive committee will seek definite offers from the three cities and then will report back to the directors for official action

#### BRITISH ARM THE MAYAS. Indian Arsenal Is Discovered in Quintan

Roo Smugglers Caught. MEXICO CITY, April 12 - An enormous cuantity of arms and ammunition has been discovered hidden near a Maya Indian village, in Quintana Roo terri-

#### TO LET MR. ROMANES COME IN

COLORADO AIR NOT WHOLLY FORBID TO SICK ALIENS

They Are Important Enough and Can Give Guarantees—In This Case the British Legation Was Invoked and the Wheels at Washington Revolved.

George E. Romanes, the young Englishman ill with tuberculosis who was taken with his wife and children from the Atlantic transport liner Minnewaska to Ellis Island on Monday, may be released to-day. He is the son of an English university professor, now dead. Witham Williams, Commissioner of Immigration, acted swiftly in the case after receiving a call from Frank Romanes, the detained patient's brother, and communicating by telephone with the British Consul

General at this port. Courtenay Bennett. The pressure that secured the promise of almost immediate release for Mr. Romenes and the liberation yesterday morning of his wife, his two infant chil dren, their nurse and Mrs Romanes's maid came through the British Ambasof the state of affairs he communicated with the Secretary of State The matter was referred swiftly to the Department of Commerce and Labor and before noon Mr. Romanes was informed that he would be released, but that he would have furnish a bond of \$1,000 to guarantee that he will remain in Colorado Spring and that he is not to become a permanen resident of this country. He also consent to surrender himself to the immigration archorities again, in case, it is decided

that he should be sent back to England.

The arrangement was a greeable to Mr. Romanes. He is somewhat weak, but will be quite capable of travelling in a day or so. He was put in a separate room in the hospital at Ellis Island, and Dr. McMullen, superintendent of the hospital, said that he would be fed on milk and eggs chiefly until he left the island. His wife, who went to the Astor House because of its nearness to the island, will be permitted to visit him whenever she pleases while to visit him whenever she pleases while he is resting. Mr. Romanes said that his English physician did not tell him that tubercular patients were not per-mitted to enter the United States, even though they might be mere travellers with no thought of settling, and his de-

with no thought of setting, and his de-tention had disturbed him much.

Mrs. Romanes said last night that she understood that her husband would be released to-day. She expressed re-gret that the methods of conducting imgret that the methods of conducting in migration affairs were such that she and her family could be taken from the cabin of a steamship and put on Ellis Island with immigrants. She found nothing of a steamship and put on Ellis Island with immigrants. She found nothing objectionable in the behavior of the immigrants, but she thought she was entitled to better treatment than she received at first. She was kept in the big room with a throng of immigrants of all nationalities from 10 o'clock in the morning until 5 in the afternoon and found it impossible to get any suitable food, even after offering to pay for sending out for it. The moment Commising out for it. The moment Commis-sioner Williams understood the facts in the case she said she and her husband were treated with every consideration. Commissioner Williams said that although the law was specific on the subect of debarring all aliens with tuber-ulosis, he believed that very few people would object to the admission of Mr. Romanes. That however, was not the question. The law was made for the ninety-nine who should be sent back and

not for the one who might be taken in. Finally Mr. Williams said:
"Tuberculosis is a contagious disease, and the law looks upon sufferers from and the law looks upon sufferers from it in the same light that it regards the insane who may wish to enter America. The steamship company made a mistake in not making the situation clear to Mr. Romanes when he booked his passage in London."

An Englishman who came into the Ship An Englishman who came into the Ship.

News office yesterday to deliver some views on the Romanes case remarked.

"If he had been an American and had been going to Germany or France or even England to seek relief from sickness and he had been held up and sent to an island with a lot of immigrants, the United States would be for ordering out battle-ships and sending ultimatims the day

## MINE STRIKE SETTLED.

to the use of the avenue. If it hash the city does not have to buy.

Mr. Watson wrote:

With reference to the simultaneous efforts to secure such legislation as is desired I suggest for your further consideration the view that perhaps the aid signed the scale, the men agreeing to resume work at once, or as fast as business in the mines will justify. The operaof the tracks in question and the franchise of the railroad company to maintain them in the streets, involving an expenditure by the city of possibly millions of dollars. "Of course such an expenditure if ultimately necessary should not be allowed to stand in the way of the removal of the tracks, operations over which jeopardize the lives of citizens."

Pittsburg April 12. A joint con-ference of operators and miners will begin in Pittsburg to-morrow morn-ing National President Thomas Lewis ing. National President Thomas Lewis and John Mitchell have been invited to

attend the meeting.

It is understood that an argeoment The witness, Person and Batz with the thong Island Railread

It is understood that accepted by both sides to run for two years, without borrowing any money with Katz.

Brooklyn Man Objects to Swap of Land has been proposed and practically accepted by both sides to run for two years, and that it will be signed so figure work. a general resumption of mine work the Pittsburg district next Monday

> union in the Pittsburg district to-night said he had every reason to believe that the agreement would go through at the joint conference without a further bitch. nt conference without the coal opera-CHICAGO. April 12.—Hilbrois coal operafors and miners met to-day in an to settle their differences, which provoked a strike of 75.000 men. sides expressed the opinion that the con-ferences would continue for several days before a conclusion was reached

#### WON'T TRY TO HANG DR. HYDE Questions to Jurors Indicate That State

Will Not Ask Beath Penalty KANSAS CITY. April 12. That the death penalty probably will not be asked by the prosecution in the case of Dr. B. Clarke Hyde, charged with the murder of Col. be Thomas M. Swope, developed to-day during the examination of the men who will

Two of the men examined to-day said positively that they would not vote to inflict the death penalty in event of a conviction on circumstantial evidence. These statements came unsolicited and were ignored by the attorneys for the prosecution. The prosecution accepted the men, but will have the opportunity of rejecting them later on peremptory challenge should they desire. Only seven men qualified as jurors

day, making twenty-four in the two

Indian village. in Quintana Roo territor it is understood that to charge \$1,300, which will be paid, which will be paid to charge \$1,300, which will be paid, which will be paid, which will be paid, which will be paid to charge \$1,300, which will be paid, which will be paid tory, according to advices just received to have been a paid professional witness and if the would distinguish be tinguish and if he would his paid tory, according to advices just received to have been a paid professional witness and an expert witness, and once he received to have been and shearce of his foliowers when an expert witness, and once he received to have been and shearce of his foliowers when an expert witness, and once he received to have been and shearce of his foliowers when an expert witness, and once he received to have been and shearce of his foliowers when an expert witness, and once he received to he witness and an expert witness, and once he received to he witness, and once he received to he witness and expert witness, and once he received to he witness and expert witness, and once he received to he witness and the will be made on both Mr.

The will of Joshua W. Crosby, who was an expert witness, and once he received to he witness for the will witness and the wold distinguish be the will be made

#### Auction Sale of The Pope Collection RAILROAD SOFFER IS ACCEPTED TO-DAY

Exquisite Art Objects in Bronzes, Carved Ivories, Fans, Miniatures, Oriental and European Porcelains, Tapestries, &c. PAINTINGS AND WATER COLORS

will be sold Thurs. & Fri. Evenings at 8:30. Fifth Avenue Art Galleries 546 Fifth Ave. corner sth St.

JAMES P. SILO, Auctioneer Free Exhibition Daily 9 A. M. to 10 P.

SAY TESTATRIX WAS DRUNK. Her Coachman Kept a Diary on Her Champagne on the Bate of Her Will.

will of Mrs. Caroline Amelia Brundage, widow of Major Frank Brundage of the the day her will was executed, and one sador. It is said that when he got word witness said that on the day it was executed she duank three bottles of champagne with Arthur O. Townsend, the lawyer who drew the will. Mrs. Brundage's niece, Mrs. Gertrude A. Forman of 512 Fifth avenue, who will get half the \$250,000 estate if the will is declared invalid, but inherited only the income of \$50,000, is contesting it. The bulk of the estate went to William H. Young, a nephew

Joseph O'Laughlin, a coachman whom \$2,000 was left, testified that he had to keep a diary because of his diversified duties under Mrs. Brundage, and refresh his memory from the diary. On January his memory from the diary. On January 31, 1909, he saw Mrs. Brundage, who had been visited that day by Silas A. H. Dayton, a lawyer of 170 Broadway. He said that Mrs. Brundage told him she didn't think much of Dayton "as a lover." Mrs. Forman's counsel asked him if he didn't mean "lawyer" instead of "lover," and he said he didn't. Mrs. Brundage was 66 years old.

Entries for three dates in O'Laughlin's diary for February, 1909, read; "Drunk

diary for February, 1909, read; "Drunk again," 'Very bad; sent for Dr. Austin Flint," and "Still drunk," The witness declared that when Mrs. Brundage was at declared that when Mrs. Brundage was at Long Beach last summer Lawyer Townsend came out there, and he heard the lawyer telling Mrs. Brundage that he had been counsel for the Belmonts and Goulds and that Helen Miller Gould had studied law under him. The lawyer said Mrs. Brundage was brighter than Miss Gould and really din't need a lawyer.

O'Laughlin testified that one day Mrs. Brundage called him to her apartment and 'told him she had heard' that the Rev. Dr. Nathan Seagle, paster of St. Stephen's Protestant Episcopal Church.

Rev. Dr. Nathan Seagle, pastor of St. Stephen's Protestant Episcopal Church, who was made executor of the will and got a cash bequest of \$10,000 in addition to \$7,000 for the church, had spent three hours in Mr. Townsend's office and had told Mr. Townsend he wanted to getsomething for the church and hoped Mrs. Brundage would leave her horses to him. O'Laughlin testified that one night two

O'Laughlin testmed that one night two women called at Mrs. Brundage's apartments in the Plaza Hotel and tried to get the widow's nurse to leave the room. The nurse wouldn't go, and a dispute followed, he said, as the result of which the four women "fought all over the room."

Katherine Powers, a maid at the Plaza, activitied that on the day the will was testified that on the day the will was executed Lawyer Townsend went to the Brundage apartments and he and his client had three bottles of champagne together. "She was so down! I had to be client as the New York Central men were concerned they would be bound by the decision of the arbitrates." client had three bottles of champagne control they would be bound by the decision of the arbitrators.

Word was received last evening from Mr. Clark that he will act as arbitrator. A reply from Mr. Morrissey is expected to-day.

Dr. John Billings of 82 East Fifty-third street, who attended Mrs. Brundage up to the time of her death, said he was called to see her several times between June 21 and June 23 last and found her in a stupor and June 23 last and found her in a stupor from drink, which lasted two or three hours at a time. He didn't prescribe for her because she was already suffering from alcoholic poisoning, which he said was one of the causes of her death. He continued his visits up to within a few hours of Mrs. Brundage's death on November 17, he said, and the last time he saw her she between the adjustment committees of

# Paid for t'offin and for Cremation Before

Mrs Jean Weldon, 70 years old, a sideration the view that perhaps the aid signed the scale, the men agreeing to of the Legislature should not be invoked pending the final determination of the mose in the mines will justify. The operators the only sort of an actual papeal, because the only sort of an actual passed changes in the mining conditions, but unless the judgment appealed from is the miners made ten demands on your ments for her funeral and paying the miners cannot be actually on Mrs. Miller's case from No-town Mrs. Miller's case her bedroom after making all arrangements for her funeral and paving the undertaker's bill in advance. She was found dead in a chair with a rubber tube running from an open gas jet to her of the railroad and the officials. undertaker's bill in advance. She was found dead in a chair with a rubber tube running from an open gas jet to her mouth. She left a note addressed to Samuel R. Sharpe, a Union Hill undertaker directing him to prepare her body for cremation. The undertaker identified her as a woman calling herself Jean. fied her as a woman calling herself Jean

Fanna, who had engaged him to bury
her "friend, Mrs. Eugenie Weldon" A receipted bill for \$29, covering the cost
of the funeral and cremation, was found

Judge MacLear in the First District
of the funeral and cremation, was found

Court. Newark, yesterday signed an order

The Ban asks 150 being part of a tota
Mrs. Miller, the \$50 being part of a tota
Mrs. Miller, the \$50 being part of a tota
for the first District
of that amount, which he says is all the
first District
of the funeral and cremation.

Court. Newark, yesterday signed an order

The Ban asks 150 being part of a tota
for the \$50 being part of a tot

of the filmeral and cremation, was found in the dead woman's stocking.

Mrs Weison first visited the undertaker's office in the early part of last September. She then said that her friend couldn't possibly live long and she engaged.

Mr Sharpe to take charge of the observing fast Friday she called again. sequies Last Friday she called again and told him that her friend was expected to die at almost any minute. She picked out a casket and stipulated that there should be nothing elaborate about She insisted on paying the

In her note to Sharpe Mrs Weldon said. "I would like the prayers that the rich and the poor are all entitled to said by a Protestant clergyman." Her body will be cremated this morning

according to her wishes.

Mrs. Weldon bequeathed all her personal effects to the poor of the city. The police found a pocketbook in her room

#### STOPS PULP WOOD EXPORTS. Province of Quebec Resolved to Limit Cutting of Trees on Crown Lands.

QUEBEC, April 12. Sir Lomer Gouin, the Prime Minister of Quebec, announced his policy on the pulp wood question tonight. He said that the exportation of pulp wood cut from crown lands would be prohibited; that stumpage dues on timber cut on crown lands would be in-

creased 60 per cent and that the ques Them the Offices. ther, the whole question of unworked crown land limits was to be taken up and disposed of at once. This settles the question and means American paper mills must be taken from the from the crown lands of this province.

President Mitchel of the Board of Alderbard before Alderman John F. Donahue of this city. She admitted this city. She admitted this city. She admitted to his office were passed yesterday so far "It was the only way to keep him home," "It was the only may be compared to his office were passed yesterday so far "It was the only may be compared to his office were passed yesterday so far "It was the only may be compared to his office were passed yesterday so far "It was the only may be compared to his office were passed yesterday so far "It was the only may be compared to his office were passed yesterday so far "It was the only may be compared to his office were passed yesterday so far "It was the only may be compared to his office were passed yesterday so far "It was the only may be compared to his office were passed yesterday so far "It was the only may be compared to his office were passed yesterday so far "It was the only may be compared to his office were passed yesterday so far "It was the only may be compared to his office were passed yesterday so far "It was the only may be compared to his office were passed yesterday so far "It was the only may be compared to his office were passed yesterday so far "It was the only may be compared to his office were passed yesterday so far "It was the only may be compared to his office were passed yesterday so far "It was the only may be compared to his office were passed yesterday so far "It was the only may be compared to his office were passed yesterday so far "It was the only may be compared to his office were passed yesterday so far "It was the only may be compared to his office were passed yesterday so far "It was the only may be compared to his office were passed yesterday so far "It was the only may be compared to his office were passed yesterday so far "It was the only may be compared to his office were passed yesterday so far "It was the only may be compared to his office were pass that hereafter pulp wood furnished to

The Brooklyn police have sent out a general alarm for Anna May Mullin, 15 From the line of questions asked to- years old, who has been missing from her From the line of questions asked today by the attorneys for Hyde, it became
apparent that a strong feature of the light
for Hyde's freedom will be on the testimony to be given by the experts who
made an analysis of the viscera of Col.
Swope.

Attorney Frank P Welsh asked several

# CENTRAL ARBITRATION PLAN

BY THE EMPLOYEES.

ormer Heads of the Trainmen and Conductors to Choose a Third Member of the Board to Decide the Dispute—No Action Under the Erdmann Act.

The differences between the New York Central railroad and its trainmen and conductors are to be settled by arbitra-

There was a brief meeting yesterday of Grand Masters Lee and Garretson of the trainmen and conductors, the grievance ommittees of the men and President W. C. Brown and other officers of the rail road at the New York Central offices, at which an arbitration agreement proposed by the railroad officials was ac-Witnesses testified yesterday before cepted. When the meeting was over the urrogate Thomas in the contest of the following explanatory statement was issued by President Brown:

The trainmen's committee has accepted Seventh Regiment, that Mrs. Brundage the proposition to submit the matter to was frequently intoxicated previous to the following gentlemen as arbitrators: E. E. Clark, a member of the Interstate Commerce Commission: P. H. Morrissey, president of the American Railway Employees and Investors Association.

uestion to be submitted to them is whether and if the arbitrators find that an increa of such increase and also to decide upor their judgment should be made.

In case the two arbitrators cannot agree the two shall select an umpire whose decisions shall be final and bind ing. The selection of Mr. Clark, the mem ber of the Interstate Commerce Commis sion, as one of the arbitrators, Assistant General Manager Crowley of the Central said, did not mean that the arbitration will be under the Erdmann act, which has not been appealed to.

E. E. Clark was for a number of years head of the Order of Railroad Conductors and P. H. Morrissey was for fifteen years grand master of the Brotherhood of Railroad Trainmen. They have been succeeded by A. B. Garretson and W. G.

Grand Master Lee said:

We had aiready decided to refuse arbitration, and have in fact refused it as we considered that the settlement with the Baltimore and Ohio Railroad, which was through arbitration under the Erdmann act set a standard of wages and that there was no need of arbitration. When, however, the company made the offer to arbitrate, with Mr. Clark and Mr. Morrissey as the arbitrators, we could not with propriety refuse to accept the offer. These two men we know will be fair and they are better equipped as far as knowledge of railroad matters affecting the trainmen and conductors.

Mr. Lee said that the arbitration committee session will be held in this city. he thought. Lee and Garretson will go to Scranton to-night to attend the canvass of the vote of the trainmen and conductors of the Delaware, Lackawanna and Western Railroad on the question of a strike for the same demands as were made on the Central which is to take

R. J. M. RAISES WAGES.

Men to Get an Advance of 11 Per Cent

between the adjustment committees of WADE READY FOR HER DEATH. general superintendent of the Boston and Maine. general superintendent of the Boston and vices in arranging to begin proceedings

The settlement was based on the Baltimore and Ohio and New Haven settlements. The adjustment is the only lease of dower rights. one made this year without a strike vote

# BRIDE FREED OF CONTEMPT. was to away. And go away. Mr. Dean asks for a total of \$25,080 from the sea being part of a total of the sea being part of the sea being p

vacating contempt proceedings of a New York department store company against Mrs. Susan I. McLaughlin, wife of former against her husband. He Newark. The action was the outcome of a suit of the company against the two witnesses and wrote down of a suit of the company against Mrs.

McLaughlin in which a judgment was secured by default and which was not following. On December 17 Mrs. Mill following. There is a secured by default and which was not following. secured by default and which was not

present husband on April 6. Before that date she was Mrs. Susan I. Whitte-more and she lived at 265 Halsted street. East Orange. On the day before her marriage she was beseiged in her home by court officers who tried to serve her with papers compelling her to appear in court.

was explained in court yesterday and counsel for the company said there was some doubt as to whether the papers were actually served. The Court then signed the vacating order. The question of claims against the defendant was left to be settled out of court.

We was friend William Harmon Black is a friend of Gen. Miller's, and it is said that the settlement of the suit was brought about by him.

#### ALDERMEN WON'T VOTE MONEY. Because Whitman and Mitchel Won't Give

ing before the Aldermen authorizing from going to the saloons and getting cents. District Attorney Whitman to employ drunk. eight new assistants and permitting To-day he had her arrested and bro give President Mitchel of the Board of Alderas establishing the grades of the new offices is concerned, but when it came to voting for special revenue bonds to pay the salaries a sufficient number of Alder-men of both sides drifted out of the cham-

Sixty vote swere required, but although in money resolutions which came up afterward there were always more than sixty votes recorded, the resolutions for the additional help asked for by Mr. Whitman and Mr. Mitchel didn't get more than about fifty votes.

The Alderman thought so too and dismissed the case, advising the man that if he got drunk he probably couldn't stand on two legs and would not need the wooden one.

Another Convent for Sisters of the Poor.

By the Author of THE MAN OF THE HOUR

# Inheritance

OCTAVE THANET'S NEW NOVEL

A vital, picturesque and stirring story of the South, worthy of the author, worthy of America.

AT ALL BOOKSELLERS

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## ESTABLISHED OVER HALF A CENTURY

AWYER GOT ONLY \$110, HE SAYS. IN \$500,000 CASE. Gen. Charles Miller's Wife Retained Him

Rejected Then Case Was Taken Away Maurice B. Dean, a lawyer at 20 Broad street, got a temporary injunction from Supreme Court Justice Greenhaum yesterday restraining any person from removing anything from a safe deposit box in the vaults of the People's Trust Company in Brooklyn which is rented by Mrs. Emma Builen Miller, wife of Gen. Charles Miller of Franklin, Pa. The lawyer got the injunction in a suit to vices in arranging to begin proceedings for a cash settlement in return

The lawyer declares that he worked steadily on Mrs. Miller's case from No used not to sue her and that Mrs. Miller was to take a cash settlement of \$500,000.

McLaughlin was married to her authorize Mr. Dean to repres court officers who tried to serve her with papers compelling her to appear in court. Under the law these papers are to be served personally. She declared that she never received the papers, but that they had been given to her sister. When she failed to appear in court contempt proceedings were begun.

The contention of Mrs. McLaughlin was explained in court yesterday and counsel for the company said there was content to the company said the content to the content to the content to the company said the content to the content t

Court Upholds Wife Who Could Find No.

Other Way to Keep Him Out of Saloons. street day gave no relief to Michael Kinsel of in it and then blew it apart. The job must baseline, whose wife burned his wooden have taken several hours. The only loot The resolutions which have been pend-leg on Saturday night to prevent him

> before Alderman John F. Donahue of she explained. He would go to the saloons every Saturday night and get drunk, so in a fit of anger I took his leg and burned it." "It was as much mine as his anyway,

Alderman thought so too and dis

# TIES UP CLIENT'S STRONG BOX SNUG-AN-EZY SHOES

The slim, "keen" appearance of and He Negotiated a \$250,000 Setcustom-made tiement With the Husband Which She shoes.

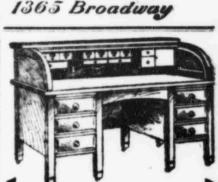
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Blew Unlocked Safe and Got 39 Cents

Burglars jimmied their way early yesterday morning into William Huschle's Sons paper box factory at 429 South Fifth Wilkesbarre. April 12.—The law to-day gave no relief to Michael Kinsel of instead of turning the knob drilled holes

they got were postage stamps worth cents. They overlooked \$6.72.

# Dog's Head Bass'Ale